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Sixth Annual Report

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STATE LAND AGENT

OF THE

STATE OF MONTANA.

TO HIS EXCELLENCY,

JOHN E. RICKARDS,

GOVERNOR OF MONTANA.

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DECEMBER 1, 1896.

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REPORT OF STATE LAND AGENT.

STATE OF MONTANA.

OFFICE OF STATE LAND AGENT.

Helena, Montana, December 1, 1896.

To His Excellency, JOHN E. RICKARDS,

Governor of Montana.

Sir:—In accordance with the provisions of the statute I have the honor to submit the following report of this office for the year commencing December 1, 1895, and ending November 30, 1896.

APPRAISEMENT OF STATE LANDS.

By order of the State Board of Land Commissioners I began the appraisement of the State lands in Jefferson County on April 24th, 1896, and was engaged in this work 33 days, as per the following report made to the Board on June 13, 1896.

I appraised 86 full and fractional sections in this county, of which there are 63 school sections; 11 sections belonging to the Agricultural College; 5 sections belonging to the Deaf and Dumb School; 4 sections belonging to the State University; 2 sections belonging to the State Reform School and 1 section belonging to State Capitol Building fund; total 49,856 acres.

The public surveys in Jefferson County were extended many years ago and it caused me a good deal of inconvenience and loss of time to find corners, the markings of very many of which were totally extinct.

I found a number of school sections along Prickley Pear Creek and Boulder River and tributaries that are partly pat-

ented and located under the mining laws. The remainder of these sections should be classed as mineral lands and authority should be obtained from the General Land Office to select lien lands in their stead; as it is impossible to determine what portion, if any, of these sections the State is entitled to; as many new mining locations are being made daily.

My expenses while engaged in this field work was \$117.05.

By order of your board I began the appraisement of the State lands in Madison County on June 22nd, 1896, and by reason of being called away from this work to other parts of the State on business pertaining to my office I was unable to complete the work until October 23, 1896.

There are 85 full and fractional surveyed townships in Madison County, which are widely separated by high, rugged ranges of mountains; being located in the valleys of the Jefferson, Madison, Beaver Head and Ruby Rivers and their tributaries, and as the public surveys covering these townships were extended from 20 to 27 years ago many of the corner monuments or marks are destroyed or obliterated making it impossible to locate them without resurveying and measuring many of the lines; and the work was consequently very slow and tedious. I examined and appraised 255 full and fractional sections in this county, of which 113 belong to the school fund; 36 belong to the Capitol Building fund; 32 to the Agricultural College; 34 to the Normal School; 21 to the State Reform School; 14 to the School of Mines; 5 to the Deaf and Dumb Asylum and 3 to the University. There are 70 sections occupied as follows: School sections 44; Public Building sections 14; Reform School sections 4; Agricultural College sections 2; Normal School sections 2; School of Mines 2; Deaf and Dumb 2 and State University 2. These occupied sections and undoubtedly many others will be leased by settlers as soon as my report is filed and the lands are advertised for sale and lease by the State Board of Land Commissioners. The press of other business has prevented me from reporting on these appraisements up to this time.

APPRAISEMENT OF TIMBER.

In accordance with the instructions of the board as per my report of September 21st, 1896, I examined and appraised the saw timber on section 24 Tp. 11 N. Rg. 20 W., University lands.

This section is situated in the Bitter Root Valley, about 15 miles south of Missoula and about two miles northeast of Carlton station, and is nearly level bottom. A branch of the Bitter Root River runs northerly through the east half of the section. That portion of the section falling on the west side of the river is well timbered with large yellow pine timber of fine quality, and I estimate the saw timber on this section suitable for lumber at 4,300,000 feet, and appraise it where it stands at \$1.50 per thousand feet. This timber was sold by the board at the appraised price to Wm. McKeen of Missoula on October 24th, 1896.

By order of the board I examined and appraised the timber standing on section 16, Tp. 15 N. Rg. 22 W. and reported on the same on September 26th, 1896. It is a well timbered section, situated on Rock Creek a short distance east of Nine Mile Creek. I estimate the saw timber standing on this section at 3,350,000 feet, and its value where it stands at \$1.50 per thousand.

I examined and appraised the timber on the N. $\frac{1}{2}$ of the N. E. $\frac{1}{4}$ and the E. $\frac{1}{2}$ of the S. E. $\frac{1}{4}$ of section 30, Tp. 15 N. Rg. 14 W.; lands belonging to the Reform School; and reported to the board on October 27, 1896. This land is situated about one mile west of the Clearwater River and about six miles above where that stream joins the Big Blackfoot River. The land is all well timbered with pine, fir and tamarack. I estimate the timber standing on this 160 acres at 950,000 feet and appraise it where it stands at \$1.50 per thousand feet.

In compliance with instructions from your board I examined and appraised the timber standing on sections 14 and 24, Tp. 16 N. Rg. 15 W. and report on these sections as follows:

These sections are situated on Clearwater Creek, about three miles northwest of Salmon Lake, and belong to the Agricultural College. There is 320 acres in section 14 and 480 acres

in section 24. I estimate the saw timber on the S. $\frac{1}{2}$ of section 14; the part owned by the State; at 1,950,000 feet, and appraise the value where it stands at \$1.35 per thousand feet.

The W. $\frac{1}{2}$ and the N. E. $\frac{1}{4}$ of section 24 falls on the high and broken west face of the mountain; is well timbered, but is somewhat difficult to handle on account of the steep and broken character of the land. I estimate the saw timber standing on this 480 acres at 2,650,000 and appraise its value where it stands at \$1.25 per thousand feet.

TRESPASS CASES.

On April 1st, 1896, a report reached me that Wm. E. Herrick of Libby had cut a large number of railroad ties on school section 36, Tp. 30 N. Rg. 31 W. On April 5th, 1896, I visited this land and found it heavily timbered with fir, tamarack and pine with the exception of about 12 acres that had been cleared and cultivated on the N. W. $\frac{1}{4}$ where Mr. Herrick resides. His improvements consists of a log cabin, barn, shed, chicken house, etc., and about thirty acres enclosed. During the past winter this settler has cut 80 trees near his house, measuring about 12 inches at the stump and from which he has cut about 250 railroad ties and sold them to the G. N. Railroad. He claims that he settled on this land some 14 months prior to the survey and that he was entitled to the land, but I informed him that he had slept on his rights and that the entire section now belonged to the State.

On June 13th, 1896, I received a report that E. Donlan of Frenchtown had committed a trespass on school section 36, Tp. 15 N. Rg. 22 W. I visited and examined this land and found that said Donlan had cut 260 trees for saw logs on the S. W. $\frac{1}{4}$ of this section, and estimated that said trees would scale 91,000 feet of lumber and appraised the value at \$1.50 per thousand.

SELECTIONS.

On April 18, 1896, I filed State Capitol Building List No. 9 in the Missoula Land Office for 6,320 acres. These are valuable timber lands and are located on both sides of the Kootenai River, near Libby, in Flathead County.

On October 23, 1896, in the Bozeman Land Office to the account of the State Capitol Building fund for 720 acres of agricultural and grazing lands, situated near Norris and Harrison, in Madison County.

But few selections have been made during the past year for the reason that the public surveys which were extended in the year 1895, largely embrace agricultural and grazing lands, and as the different grants are already well supplied with that character of land, it has ben thought advisable to confine future selections as much as possible to the timber lands west of the Main Divide. During the past year the public surveys have been extended to embrace extensive tracts of valuable mountainous timber land on the Thompson River country and also on the Big Blackfoot and Clearwater Rivers. The approved plats of these surveys will be filed in the Missoula Land Office early the coming year, and I estimate that about 80 sections can be secured for the State, if promptly looked after. I would respectfully urge that this matter be carefully watched, so that the preference right of the State be taken advantage of to the fullest extent. Your Agent will find numerous pretended squatters claims on these lands nearly all of which claims are fraudulent and only intended for the purpose of securing the timber as practicably this land is wholly unfit for cultivation and of no value except for the timber.

STATUS OF GRANTS TO STATE INSTITUTIONS.

STATE NORMAL SCHOOL.

	Acres.
Total grant to Normal School.....	100,000.00
Total selections to date.....	58,166.02
Balance to be selected.....	41,833.98

DEAF AND DUMB ASYLUM.

Total grant to Deaf and Dumb Asylum.....	50,000.00
Total selections to date.....	31,120.89
Balance to be selected.....	18,879.11

STATE REFORM SCHOOL.

Total grant to State Reform School.....	50,000.00
Total selections to date.....	30,935.01
Balance to be selected.....	19,064.99

STATE CAPITOL BUILDING FUND.

Total grant to State Capitol Building Fund.....	182,000.00
Total selections made to date.....	107,732.24
Balance to be selected.....	74,267.76

AGRICULTURAL COLLEGE.

Total grant to Agricultural College.....	140,000.00
Total selections made to date.....	76,007.96
Balance to be selected.....	63,992.04

SCHOOL OF MINES.

Total grant to School of Mines.....	100,000.00
Total selections made to date.....	55,592.81
Balance to be selected.....	44,407.19

STATE UNIVERSITY.

Total grant to State University.....	46,080.00
All selected.....	
Total grant to these Seven Institutions.....	668,080.00 acres
Selected For Public Buildings.....	107,732.24 acres
Selected for Agricultural College.....	76,007.96 "
Selected for School of Mines.....	55,592.81 "
Selected for Normal School.....	58,166.02 "
Selected for Deaf and Dumb Asylum.....	31,120.89 "
Selected for Reform School.....	30,935.01 "
Selected for State University.....	46,080.00 "
Total number of acres selected.....	405,675.93 acres 405,675.93 acres
Leaving balance to be selected.....	262,404.07 acres

SCALING TIMBER.

As mentioned in my last report, your board sold the saw timber on Reform School sections 30 and 32, Tp. 16 N. Rg. 14 W. on November 4th, 1895, to C. L. Griswold at \$1.25 per thousand feet; that being the appraised price. Mr. Griswold began cutting this timber on section No. 30 in February, 1896, and suspended work for the season in the following month. The last of March, 1896, I scaled the logs that he had cut and found the same to contain 259,470 feet, as per report to your Board on April 14, 1896. During the past season he continued cutting on this section, and during the past month I scaled logs to the amount of 1,500,970 feet; making a total scale that has been cut on this section to date of 1,760,440 feet. Mr. Griswold expects to finish cutting the timber on this section during the

coming month or January, 1897. Mr. Griswold has completed cutting the timber on section 32 above mentioned, and I have completed the scale of the same and found it to contain 3,119,330 feet, which at the contract price amounts to \$3,897.15, and which amount according to the contract will be due May 1st, 1897.

MISCELLANEOUS.

The appraisements of State lands made by the local boards of appraisers some years ago is so high and unreasonable that it is impossible for the settlers to pay the five per cent rental of the appraised valuation. This is especially the case with lands in Gallatin, Flathead and some parts of Cascade County. The average appraised value of the agricultural lands that have been appraised in Gallatin County is about \$16.00 per acre. This is at least \$12.00 per acre too high; and as a consequence the State is losing thousands of dollars every year by reason of this prohibitory and excessive appraisement.

I cannot present to your board in strong enough terms the importance of completing the appraisement of the State lands in all the counties at the earliest possible day. There are large numbers of sections; particularly school sections; that have been occupied by settlers for years and the public school fund is losing thousands of dollars per annum by not having a record of the status of these sections. The first appraisement should be made with great care and each section written up in full. After the five years expires, after which the law contemplates a re-appraisement, this record will assist greatly in the re-appraisement and will save much time and expense.

I would again respectfully invite your attention to the fact that there is about 1,575 full and fractional surveyed townships in the State; that there are at least two sections of State land in each township and that the State is supplied with plats of only 511 of these townships, together with 263 photographs and tracings. Nearly all of these plats and photographs are of townships in the eastern and northeastern part of the State where the fewest selections are located and where the land is of the least value. It is of the utmost importance that the State be furnished a copy of the plat of every township sur-

veyed already, and of the townships surveyed hereafter as fast as the surveys are approved.

I would again also invite your attention to List No. 1, made May 4th, 1895, in the Lewistown Land District, of 1,275.61 acres to the account of the State Reform School fund; lands formerly included in the Fort Maginnis Military Reservation, and on which are situated the buildings formerly used for military purposes. These abandoned buildings are generally first class in condition and have cost large sums of money.

There seems to be no prospect that the State will ever have any use for those buildings and it would seem advisable for the State to make some disposition of them at as early a date as possible, rather than keep a custodian to look after them at an expense to the State of \$30.00 per month.

I would repeat also that the act of Congress approved March 3, 1891, permitting the cutting of timber for lumber on surveyed and unsurveyed lands should be repealed. A strong effort should be made at least to get this law modified so that no permits can be granted to cut timber on unsurveyed lands. The applications to purchase timber will increase every year till the State lands in the western part of the State are stripped of this valuable product with the exception of very remote sections. Each succeeding year the timber will increase in valuation, and I would respectfully urge that the State Board of Land Commissioners be in no haste about selling this timber, unless a good price is offered. A small increase in the price per thousand means a large increase in the return to the State when we consider the many millions of feet of lumber standing on the State lands.

By reason of the fact that at least seventy-five per cent of the lands selected for the support of the different State Institutions lying east of the Main Divide, is high, arid, and of little value, our institutions will receive but little revenue from this land for many years to come. We are therefore obliged to look to the timber lands belonging to the different institutions for their main support, and it should be guarded carefully and only sold at the best possible price.

The present law makes it the duty of the State Land Agent to appraise all the State lands; and the law contemplates the

re-appraisement of these lands every five years, where the value of the lands has changed, at least. The State Land Agent is also expected to look after cases of trespass, and after the scaling of timber cut under timber permits, etc. This throws a volume of work on the State Land Agent that is not generally realized. The work of appraisement has been pushed for the last four years, yet only about 20 per cent of the surveyed lands belonging to the school fund has been appraised and only about 10 per cent of the land belonging to the different institutions is yet appraised. The fact that the law requires the State lands to be re-appraised every five years, and that the five years will expire on part of this appraised portion during the coming year makes it plain that it will be impossible for one man to complete this important work for many years to come. I would therefore recommend that your Agent be allowed an assistant, to the end that one man could be engaged constantly in the field attending to the appraisements and examinations, while the other could attend to the office work making official returns of the appraisements and to the calls that are constantly being made to all parts of the State.

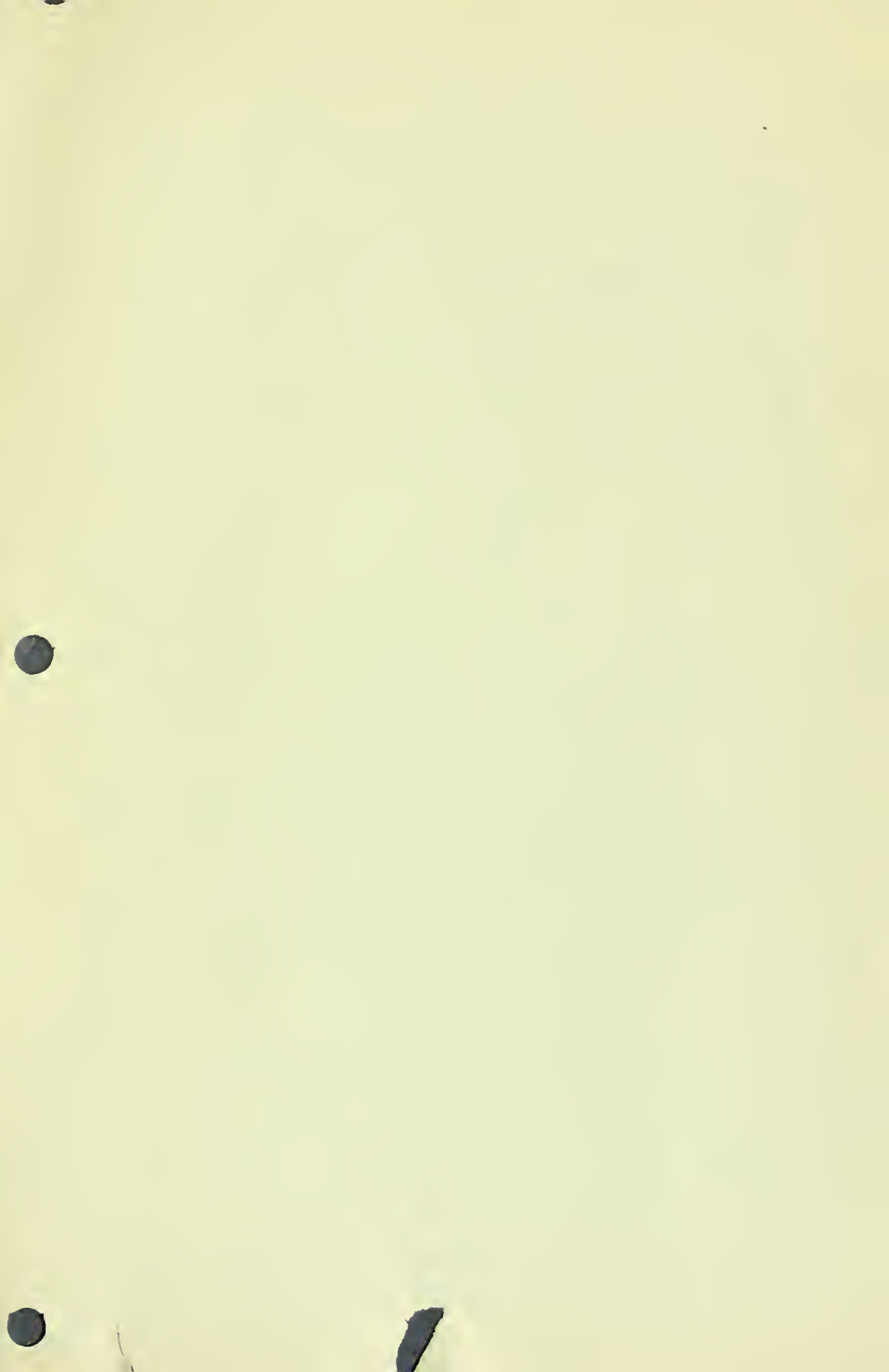
In conclusion I desire to thank the members of the State Board of Land Commissioners and their Chief Clerk, together with the Register of the State Land Office, for their united support and assistance; also the Federal officers of our State, the various railroad companies, and many private citizens throughout the State for assistance and courtesies extended.

Very respectfully submitted,

J. M. PAGE,

State Land Agent.







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